

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JASON W. TRUMBLE,

Plaintiff,

Case No. 22-cv-11917

v.

U.S. District Court Judge
Gershwin A. Drain

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

**ORDER ACCEPTING AND ADOPTING REPORT AND
RECOMMENDATION (ECF NO. 17), DENYING PLAINTIFF’S MOTION
FOR SUMMARY JUDGMENT (ECF NO. 11), GRANTING DEFENDANT’S
MOTION FOR SUMMARY JUDGMENT (ECF NO. 15), AND AFFIRMING
COMMISSIONER OF SOCIAL SECURITY’S DECISION**

On August 16, 2022, Plaintiff Jason W. Trumble (“Plaintiff”) initiated this action against the Commissioner of Social Security (“Commissioner” or “Defendant”) to appeal the denial in part of his Disability Insurance Benefits and Supplemental Security Income. ECF No. 1, PageID.2. Presently before the Court are Plaintiff’s Motion for Summary Judgment, filed on December 6, 2022, ECF No. 11, and Defendant’s Motion for Summary Judgment, filed on January 30, 2023, ECF No. 15. While Defendant did not respond to Plaintiff’s Motion for Summary

Judgment in the time allotted by E.D. Mich. LR 7.1(e)(2), Plaintiff responded to Defendant's Motion. *See* ECF No. 16.

The Court referred the matter to Magistrate Judge Patricia T. Morris, ECF No. 3, who issued a Report and Recommendation on March 15, 2023, recommending that the Court deny Plaintiff's Motion for Summary Judgment (ECF No. 11) and grant Defendant's Motion for Summary Judgment (ECF No. 15). ECF No. 17. Neither party has filed objections to the Magistrate Judge's Report and Recommendation, and the time for filing objections has expired. *See* 28 U.S.C. § 636(b)(1)(C).

Upon review of the parties' briefing, the record, and the Magistrate Judge's Report and Recommendation, the Court determines that the Magistrate Judge reached the correct conclusion. Therefore, the Court will accept and adopt Magistrate Judge Morris' March 15, 2023 Report and Recommendation (ECF No. 15) as this Court's findings of fact and conclusions of law. The Court will thus deny Plaintiff's Motion for Summary Judgment (ECF No. 11) and grant Defendant's Motion for Summary Judgment (ECF No. 15).

Accordingly, for the reasons stated above, **IT IS HEREBY ORDERED** that the Court **ACCEPTS** and **ADOPTS** Magistrate Judge Morris' March 15, 2023

Report and Recommendation (ECF No. 17) as this Court's findings of fact and conclusions of law.

IT IS FURTHER ORDERED that Plaintiff's Motion for Summary Judgment (ECF No. 11) is **DENIED**.

IT IS FURTHER ORDERED that Defendant's Motion for Summary Judgment (ECF No. 15) is **GRANTED**.

IT IS FURTHER ORDERED that the Commissioner of Social Security's decision is **AFFIRMED**.

IT IS SO ORDERED.

s/Gershwin A. Drain

GERSHWIN A. DRAIN
UNITED STATES DISTRICT JUDGE

Dated: May 8, 2023

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on
May 8, 2023, by electronic and/or ordinary mail.

/s/ Teresa McGovern
Case Manager